G. R. S. IX-5]

Previous references.

Geol 95-18 (15, 17-21)

1921.

(Geol)

Present ✓

File No. 54-21

Serial Nos. 345 & 7 / 1

Later reference

(18)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 4

Part B for April 22 -

SUBJECT.

Proposal to grant the period of mining lease to be granted to Messrs V. Manickavelu Mudaliar & Son over the prospecting block no 441 from the date on which it is applied by the Dewan. & to renew the licence upto such a date on payment of rent.

5429 of 26-4-22

To The Secretary of Govt
Sanctioning the

WD 1888—GPB—16,826—23-7-21

G. R. S. III-2,

General and Revenue Secretariat.

Geol File No. 54 of 1921.

Serial No.

3

Mineral licenses applied for & held by Messrs V. Manickavelu Mudaliar & Co.

From the Director, Dept of Geology

1356 & 18-2-22

Recommends for renewal stated that the period of mining lease sanctioned over an area of land comprised in prospecting block no 441 may be extended to be counted from the date of its execution by the Dewan & that the license renewed upto such date on payment of the rent payable for renewals.

1 Submitted with connected papers for orders. The question of revising Mysore rules in accordance with Govt of India rules referred to will be submitted separately for orders.

tds.
25-2-22

2 Submitted with a statement showing the alteration proposed to be made in Mysore Rules and the provision exist in the Govt of India Rules.

ABS
1-3-22

3 The date on which the lease deed was signed by the Dewan has to be considered as the date from which the lease commences, the intervening period between the date on which the prospecting license expires and the commencement of the newly granted lease may as suggested be

NOTE—Contn. sheet.

G. R. S. III-2.

General and Revenue Secretariat. | Geol File No. 54 of 1921.

Serial No.

Rules on Extension of the period of the prospecting licence subject however to the payment of rent at the usual calculated rate.

4 Before this can be done however the existing rules must have to be amended and the recommendation of the Director should be supported by the Govt of India unless such approval.

Flag X

5 A statement is putup giving the existing rule with the proposed amendment shown in red and the Govt of India rule, for facility of reference.

M Dy
2-3-22

G/Secy

6 Vide para/page 2 of the Director's letter. What was the permission granted to the applicant pending orders on the application for a mining lease? Has he done any mining work? If so there is no reason whatever why the mining lease shd not be regarded as having taken effect

NOTE—Contn. sheet.

4364
3/20

G. R. S. III-2.

General and Revenue Secretariat.

Geol File No. 54 of 19 21.

Serial No.

on the expiry of the prospecting license. Perhaps the files relating to the grant of the license etc. Early

18/3

Submitted with a draft to the Director 14/3

AAS 15-3-22

8. Joshi

Mr. KP

4 To the Director, Dept of Geology
No. 4958 A 21-3-22
Enquires whether the applicants did prospecting or mining work in the block subsequent to the termination of the license & in case the latter is so the mining lease should not be regarded as having taken effect from that date.

5 From the Salt Office.
1578 A 23-3-22
States for reasons given that mining lease should have effect from the date on which it is signed by the Dewan.

9 Submitted with reference to paragraph 6 above.

AAS. 1-4-22

2/4/22 The rule requires a slight amendment as already submitted in my note of 2-3-22 and as suggested in the statement put up (Flag X).

Mr 3/4/22

GL Sheef 11 The Director's proposal may be agreed. The question of amendment of the rules will be taken separately.

2nd Number 9?.0

NOTE—Contn. sheet.

4369

4

G. R. S. III-2.

General and Revenue Secretariat.

Genl File No. 54 of 1921.

Serial No.

5-292-93

4.4.22

12

How can the Directors present proposal be accepted in anticipation? The rules have first to be amended and if Lawyer there is provision in the existing rules to meet any such contingency then the Directors proposal can be considered.

Rec'd
6.4.22

13 Work up the question of amendment of the rules as a Separate file.

9/4.

14 A Separate file number should be given in the matter of amending the rules.

15 Issue for orders regarding whether the Director's recommendation to consider the terms of the licenses as explained up to the end of the trying out period leases of the Deccan subject to the payment of rents at the enhanced rate may be approved

8.4.22

16 The Query of the Member has not been answered. Would it be in accordance with existing rules to sanction the recommendation of the Director

11/4

NOTE—Contn. sheet.

G. R. S. III-2.

General and Revenue Secretariat. | Geol File No. 54 of 1921.

Serial No.

17 ~~Declaration~~ The Director recommends a view that amounts to an extension of the period of the prospecting license or a renewal, the rent required of which has been received - Such an extension is covered by the rules & there is no objection to the proposal being sanctioned.

11.6.22

Govt Secy

18 The Director points out that there is little difference in effect between a prospecting license and a mining lease - As according to the strict terms of the rules the latter will take effect from the date the lease is signed by the Governor the Director's proposal may be sanctioned the intervening period being reckoned as Covered by a renewed prospecting license (Subject to the payment of fees as prescribed) A

13/4

1st Member

NOTE—Contn. sheet. 5740-162 A. 19 I agree

21.4.22 Rees 20.6.22

Rees 22.6.22

Draw Rotty orders accordingly

Govt 24/6/22

4364
3901

G. R. S. III-2]

General and Revenue Secretariat. | Geol File No. 54 of 192

Serial No.	
	1/ Submitted with a draft.
	2/ The question of amending the rules as proposed will be submitted after the issue of the draft.
	AAG 25-4-22 Secy 28.4.22 Dom Mrs 25/4
7	To the Director of Geology 54-29 dt 26-4-22 States that the period of mining lease to be granted be counted from the date on which it is signed by the Dewan & that Prospecting licence be renewed upto such date subject to the payment of rent.
15	For further action please see (Geol file no. 85-21) Notification no 6221/Geol 85-21- dt 23-6-22

NOTE—Contn. sheet.

M. G. D. 12.

Urgent - Geol 54-21-3.

No 1356
Encs: 2.

Dated, Bangalore, 18/2/1922.

D 3901
21-2-22

34529

From

B. JAYA RAM, ESQUIRE, F.G.S.,
Director, Mysore Geological Department.

To

REV. 22 FEB 1922

S. Hiriannaiya, Esq., M.A., B.L.,
Secretary to the Government of
H. H. the Maharaja of Mysore,
General Department, Bangalore.

Sir,

With reference to the correspondence ending with your letter No.G.17909/Geol.95-18-19, dated 21st March 1921, regarding the grant of mining leases for Chrome ore to Messrs. V. Sundaramurthy Mudaliar and V. Manickavelu Mudaliar (1) over the Bhaktarhalli Block of one square mile of land comprised in Prospecting License No.441 and (2) over another block of one square mileof land adjoining the Bhaktarhalli Block, in the Chennarayapatna Taluk, I have the honor to state that the deposits payable under the Rules in respect of both the leases have been recovered and the blocks duly surveyed and demarcated and the plans thereof also prepared.

2. In connection with the preparation of the lease of the Bhaktarhalli Block a question has arisen as to the date from which the lease should be given effect to. The prospecting license held by Mr. Sundaramurthy Moodr., over that block terminated on the 24th September 1917 and before that date a mining lease was applied for on the 15th September 1917 in accordance with Clause 15 of the license. Pending the disposal of the application for the mining lease permission was granted to him to continue work on the block. The sanction of Government

to

to the lease was accorded in March 1921. In view of the permission granted for the continuance of the work after the expiry of the term of the prospecting license and also in order to recognise the continuity of Mr. Sundaramurthy Mudaliar's title to the block in question, he was informed, as has been done in other cases of a similar nature, that the period of the mining lease would count from the date of the expiry of the prospecting license, viz,- 25th September 1917, and a demand was also made from him for the mining rent at Re.1/- per acre per annum for the period from the 25th September 1917 up to the end of the last calendar year 1921.

3. Mr. Manickavelu Mudaliar (writing on behalf of Mr. V. Sundaramurthy Mudaliar) contends in his letter, dated 13th February 1922, a copy of which is submitted herewith, that inasmuchas the applicant's title to the land will not be complete until the lease is actually signed by the Dewan, the lease should be given effect to from the date on which it is signed by the Dewan and that until such date the prospecting license should be regarded as having been renewed and only the rent payable for prospecting blocks charged instead of the higher mining rent of one rupee per acre demanded from him. It seems to me that there is every force in Mr. Manickavelu Mudaliar's contention and I also find that the Government of India Rules(quoted in the margin for converience of reference) provides for the grant of an extension of the period of the prospecting license until a mining lease is granted or for such term as the Collector deems fit and that no fee or rent is charged for such extended term of the license. I would like to take this opportunity to suggest

Rule 30. Every prospecting license shall contain such conditions as may in any particular case seem necessary, and shall in all cases contain the following conditions:--

(i) The term for which the license shall be granted shall be one year or such shorter term as the applicant may desire. The license may be renewed by the Collector for a further term not exceeding two years, whenever he is satisfied that a longer period than one year is required in order to enable the licensee to complete his search of the land:

Provided that, when the licensee has, before the termination of the period of the license, applied for the grant of a mining lease, the Collector may further extend the

period of the license until a mining lease is granted or for such time as he may deem fit.

(ii) The licensee shall pay a fee not exceeding one rupee and not less than one anna per acre of the land covered by the license. When a license is renewed under the last foregoing condition, a fresh fee shall be payable, subject to the same maximum and minimum charge, for each year or part of a year for which the license is renewed. But no fee shall be payable for an extension of the term of license under the proviso to that condition.

an insertion of a similar proviso in our present Rules but with the right to charge rent, at the rates prescribed for prospecting licenses, for the period for which such an extension is granted. I accordingly beg to submit herewith a draft of the same for favour of approval of Government.

4. Besides the above argument, Mr. Manickavelu Mudaliar has also certain special circumstance in his favour in so far as the lease of the block in question is concerned, viz,- the long time taken by Government in finally disposing of his application for the lease.

5. In view of these facts I beg to recommend that the period of the mining lease may be ordered to be counted from the date on which it is actually signed by the Dewan, and the prospecting license No.441 renewed up to such date on payment of the rent payable at the rates prescribed for renewals of prospecting licenses.

6. Mr. Manickavelu Mudaliar requests that the leases sanctioned by Government may be issued in the name of Messrs. V. Manickavelu Mudaliar & Son. I presume there is no objection to this request being complied with.

7. Mr. Manickavelu Mudaliar is very anxious that the leases should be issued at a very early date and I, therefore, solicit the favour of very early orders of Government in the matter.

I have the honor to be,
Sir
Your most obedient servant,

B. Jagannatha Rao

Director,
Mysore Geological Department.

cvv

Draft.

Additions to the Rules for the grant of mineral licenses and leases in Mysore.

Add the following proviso at the end of Rule 18 :-

Provided that, when the licensee has, before the termination of the period of the license, applied for the grant of a mining lease, the Director, Department of Geology, may further extend the period of the license until a mining lease is granted or for such time as he may deem fit."

In Rule 21 - between the words "during which application for renewal" and "is made", insert the words "or for a mining lease".

B. Rangaraju.

14th February 1922.

Director,
Mysore Geological Department.

Letter, dated 13th February 1922, from Mr. V. Manickavelu Mudaliar, Ahmed Buildings, Bangalore city, to the Director, Mysore Geological Department, Bangalore.

With reference to your letter No.700, dated the 10th November 1921 regarding the date from which the mining lease of the Bhaktarhalli Block should take effect and the rent payable to Government in respect thereof, I have the honour to state that I have given the matter a very long and careful consideration, and as explained to you in person, under Rule 44 of the rules for the grant of mining leases the applicant's title to the lease will not be complete until the lease is actually signed by the Dewan. The lease should therefore take effect from the date on which it is signed by the Dewan, and not from any date prior to it.

There are also very special circumstances in my favour in respect of the lease in question. The prospecting license (No.441) expired on the 25th September 1917, but a mining lease over a block of ½ a square mile of land was duly applied for by me on the 15th September 1917, i.e., before the date of the termination of the license. The sanction of the Government to a lease of that block was communicated to me in January 1918 when the block was actually surveyed by your Department in August 1918, it was discovered that certain small bits of valuable land, by mistake, have been omitted in marking the block selected by me and I, thefefore, applied to you on the 2nd September 1918 for a revised mining block of ¾ square mile of land. The application remained undisposed of and after the lapse of over one year and five months, I was obliged to request the grant of a lease over the entire area of one square mile comprised in the original prospecting license. This request was made mainly to satisfy the restriction insisted upon by Government that another mining block I had been asked to select in lieu of the Margowdanhalli block in the Mysore Taluk should adjoin the Bhaktarhalli Block. The sanction of the Government to the lease of the one mile block was communicated to me in your letter No.1576, dated the 2nd April 1921. It will thus be seen that a long period of four years has been lost by Government in finally disposing of my application, and there can, therefore, be no claim against me for rent at Re.1/- per acre on the block up-to the date on which the mining lease is issued to me.

Under these circumstances, I beg that the lease may kindly be granted to me as from the date on which it is signed by the Dewan and the prospecting license renewed upto such date. I am prepared to pay the rent due for the renewal of the prospecting license from the 25th September 1917 upto the date of the issue of the lease. All the leases may kindly be issued in the name of Messrs. V. Manickavelu Mudaliar & Son.

N.B.-

The matter may kindly be treated as an extremely urgent one and the lease issued to me by the end of this week the latest.

Copy.

B. Jayaram

Director,
Mysore Geological Department.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, *the* 191 .

Date of issue 21.3.22.

Signed by M.S.R

Section Geol

File No. 54 - 21

Serial No 4

No. 4958

The Director of Geology

To

Sir,

With reference to paragraph 2 of your letter no 1356 of 18-2-22, I am regarding the grant of permission to Mr. V. Rudraramuti Mudaliar to continue work on the block comprised in prospecting licence no 441 pending orders on his application for a mining lease, I am directed to enquire whether Mr. Rudraramuti did prospecting or mining Mudaliar ~~worked any mining~~ work ~~on the block~~ the latter area if ~~so when was the work done~~ the mining lease should not be regarded

over.

P.T.O.

over the block in question subsequent to the termination of the prospecting licence dated 11th September 1917

as having taken effect ~~from the date of~~ from the date of the forwarding hereof. The favour of an early reply in the matter is requested

I have the

Mh 18 3 22

Foreign Office, [illegible]

List of enclosures.

Copied by

Examined by

M. G. D. 12.

Geol 54-21-5

15

48641

No. 1578

Dated, Bangalore, 23/3/1922.

GEN. & REV. SECRETARIAT
4364
25 MAR 1922
INDUSTRIES & COMMERCE.
BRANCH.

GEN. & REV. SEC.
24 MAR 1922

From

B. JAYA RAM, Esquire, F.G.S.,
Director, Mysore Geological Department.

To

S. Hiriannaiya, Esq., M.A., B.L.,
Secretary to the Government of
H. H. the Maharaja of Mysore,
General Department, Bangalore.

Sir,

In reply to your letter No.I.C.4958/Geol.54-21, dated 21st March 1922, enquiring whether Mr. V. Sundaramurthy Mudaliar did prospecting or mining work in the block comprised in his prospecting license No.441 subsequent to its termination on the 24th September 1917, and why the mining lease should not be regarded as having taken effect from that date, I have the honor to state that our prospecting licenses not only confer on the licensees the right to prospect but also permit them to work, win and carry away the ore and they are, therefore, practically mining leases of short period. As such, it is not satisfactory to draw a line of distinction between the work done under a prospecting license and that under a mining lease.

2. Having regard to the fact that mining operations are permitted to be carried on, as stated above, under prospecting licenses renewable from year to year, and that, under Rule 44 of the Rules for the grant of mineral licenses and leases, the licensee's title to the block applied for will not be complete until the mining lease has been executed by the Dewan, I consider that the mining lease should have effect from the date on which it

Page 5 + flag U

is actually signed by the Dewan and that the prospecting license should be regarded as having been renewed up to such date, subject, of course, to the payment of the prospecting rent by the licensee for the intervening period.

I have the honor to be,

Sir,

Your most obedient servant,

B. Fayn Saw

Director,

Mysore Geological Department.

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, the 191 .

Date of issue 26. 6. 22

Signed by Mr. Rm. Y. A. Rao

Section Geol
File No. 54-21.
Serial No. 7

No. 54 29

To

The Director, Dept of Geology.

Sir,

With reference to correspondence ending with your letter no 1578 of 23-3-1922 ~~under the circumstances represented~~ I am directed to state that the period of mining lease ~~for~~ granted to Messrs V. Manickavela Mudaliar & Bro over the area comprised in prospecting block no 44 be counted from the date on which it is signed by the Dewan and that ~~sanction is accorded to the renewal of~~ prospecting license no 441 be renewed upto to such date subject to the payment of the rent payable

over.

under the circumstances represented Govt are pleased to direct that

P.T.O.

at the rates prescribed for renewals of subsisting leases.

The question of amending the rules as proposed is separately under consideration of Govt.

Dharcha

25/4

Forwarded, Glad

25/4/3

List of enclosures.

Copied by

Examined by